CITY ATTORNEY AMELIA ANN ALBANO, CITY ATTORNEY (SBN 103640) CAROL A. HUMISTON, SR. ASST. CITY ATTORNEY, (SBN 141) JEC -9 PM 3 17 CITY OF BURBANK 275 East Olive Avenue P. O. Box 6459 Burbank, CA 91510 4 Tel: (818) 238-5707 Fax: (818) 238-5724 5 LINDA MILLER SAVITT, SBN 94164 E-mail: LSavitt@brgslaw.com 6 BALLARD ROSENBERG GOLPER & SAVITT, LLP 7 500 North Brand Boulevard, 20<sup>th</sup> Floor Glendale, CA 91203 8 Tel: (818) 508-3700 Fax: (818) 506-4827 RONALD F. FRANK, SBN 109076 E-mail: rfrank@bwslaw.com BURKE, WILLIAMS & SORENSEN, LLP 10 444 S. Flower Street, Suite 2400 Los Angeles, California 90071-2953 11 Tel: (213) 236-0600 Fax: (213) 236-2700 12 Attorneys for Defendant CITY OF BURBANK 13 14 SUPERIOR COURT OF THE STATE OF CALIFORNIA 15 **COUNTY OF LOS ANGELES** 16 Case No: BC422252 WILLIAM TAYLOR, 17 Assigned to: Hon John L. Segal 18 Plaintiff, Action Filed: Sept. 22, 2009 19 VS. Trial Date: March 5, 2012 CITY OF BURBANK, 20 NOTICE OF RULING ON DEFENDANT 21 Defendant. CITY OF BURBANK'S EX PARTE APPLICATION FOR AN ORDER ALLOWING THE CITY TO AUGMENT ITS 22 EXPERT WITNESS LIST AND DECLARATION OR, ALTERNATIVELY, 23 FOR AN ORDER SHORTENING TIME TO HEAR MOTION TO AUGMENT EXPERT 24 Date: Dec. 7, 2011 25 Time: 8:30 a.m. 26 Dept: 50 27 TO PLAINTIFF AND TO HIS ATTORNEYS OF RECORD: 28

PLEASE TAKE NOTICE that on December 7, 2011, Judge Segal denied without prejudice the Application of Defendant CITY OF BURBANK for an *ex parte* Order allowing the City to augment its expert witness list and expert declaration to include Jim Voge, and its alternative application for an Order shortening time to hear the *ex parte* Application as a motion to augment the City's expert disclosure and declaration. Although counsel for Plaintiff had checked in with the Clerk, as of 9:28 a.m. when the Court called the matter there was no appearance by counsel for Plaintiff. Judge Segal stated that the denial was without prejudice, as he did not find sufficient grounds for *ex parte* relief and that the issue could be heard on noticed motion instead. The Court also ordered the City to give notice.

BURKE, WILLIAMS & SORENSEN, LLP RONALD F. FRANK

Ronald F. Frank

Attorneys for Defendant City of Burbank

## PROOF OF SERVICE

2	I am a citizen of the United States and employed in Los Angeles County, California. I am
3	over the age of eighteen years and not a party to the within-entitled action. My business address
	is 444 South Flower Street, Suite 2400, Los Angeles, California 90071-2953. On December 7, 2011, I served a copy of the within document(s): <b>NOTICE OF RULING ON DEFENDANT</b>
4	CITY OF BURBANKS' EX PARTE APPLICATION FOR AN ORDER ALLOWING THE
5	CITY TO AUGMENT ITS EXPERT WITNESS LIST AND DECLARATION OR,
	ALTERNATIVELY, FOR AN ORDER SHOWING TIME TO HEAR MOTION TO
6	AUGMENT EXPERT
7	by transmitting via facsimile the document(s) listed above to the fax number(s) set
8	forth below on this date before 5:00 p.m.
9	by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set
10	forth below.
11	by placing the document(s) listed above in a sealed OVERNITE EXPRESS
12	envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to an OVERNITE EXPRESS agent for delivery.
13	
14	by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
15	SEE ATTACHED SERVICE LIST
16	I am readily familiar with the firm's practice of collection and processing correspondence
17	for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on
18	motion of the party served, service is presumed invalid if postal cancellation date or postage
19	meter date is more than one day after date of deposit for mailing in affidavit.
20	I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
21	Executed on December 7, 2011, at Los Angeles, California.
22	$\alpha + \alpha$
23	Here todriques
24	IRENE RODRIQUEZ
25	
26	
27	
28	
NAC S-	LA #4837-7453-6458 v1

BURKE, WILLIAMS & SORENSEN, LLP ATTORNEYS AT LAW LOS ANGELES

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PROOF OF SERVICE

## SERVICE LIST

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LA #4837-7453-6458 v!

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